DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ANTIOXIDANT ENHANCEMENT OF THERAPY FOR HYPERPROLIFERATIVE CONDITIONS

| the specification of whic | h (check one) | | | |
|---|---|---|---|--|
| | | x wa | l was amended on: | rial No. <u>08/967,492</u> |
| I hereby state th | nat I have reviewed and unamended by any amendr | | | ntified specification, |
| I acknowledge t accordance with Title 37 | - | | material to the examina | ation of this application in |
| | | listed below and l | have also identified belo | ow any foreign application |
| Prior Foreign Application(s) | | | | Priority <u>Claimed</u> |
| (Number) | (Country) | (D: | ay/Month/Year Filed) | - |
| below and, insofar as the States application in the acknowledge the duty to | subject matter of each of manner provided by the disclose material inform | of the claims of the first paragraph of the first paragraph of the first paragraph of the first paragraph of the first paragraph. | ne application is not disc f Title 35, United States in Title 37, Code of Fed | tates application(s) listed closed in the prior United s Code, § 112, I deral Regulations, § 1.56(a) nternational filing date of |
| Application Serial No. | | Filing Date | | Status |
| 08/886,653 | | July 1, 1997 | | pending |

AND THE

As named inventor, I hereby appoint the following attorney(s) or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sherry M. Knowles, Reg. No. 33,052 Jacqueline Haley, Reg. No. 41,457

Send Correspondence to:

Sherry M. Knowles, Esq. King & Spalding 191 Peachtree Street

Atlanta, Georgia 30303-1763

Direct telephone calls to: Sherry M. Knowles (404) 572-3541

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full name of sole or first inventor Rebecca Chinery | |
|---|--------------|
| Inventor's signature Rebecca Currery | Date 12-3-97 |
| Residence 1500 21st Avenue South #212 Nashville, TN 37212 | · |
| Citizenship <u>UK</u> | |
| Post Office Address Same as above | |
| | |
| Full name of second joint inventor R. Daniel Beauchamp | |
| Inventor's signature | Date |
| Residence 928 Yearling Way Nashville, TN 37221 | |
| Citizenship <u>USA</u> | |
| Post Office Address Same as above | |

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As named inventor, I hereby appoint the following attorney(s) or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sherry M. Knowles, Reg. No. 33,052 Jacqueline Haley, Reg. No. 41,457

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| Full name of sole or first inventor Rebecca Chinery | | |
|---|---------|--|
| Inventor's signatureDate | | |
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| Citizenship UK | | |
| Post Office Address Same as above | | |
| Full name of second joint inventor R. Daniel Beauchamp | | |
| Inventor's signature Date | 12-1-97 | |
| Residence 928 Yearling Way Nashville, TN 37221 | | |
| CitizenshipUSA | | |
| Post Office Address Same as above | | |

MBD NO.

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| Full name of third joint inventor Robert J. Coffey | | |
|--|--|--|
| Inventor's signature Must J Age Date 8 (17/98 | | |
| Residence 125 Ridge Road Woodside, CA 94062 | | |
| Citizenship <u>USA</u> | | |
| Post Office Address Same as above | | |
| Full name of fourth joint inventor Russell M. Medford | | |
| Inventor's signatureDate | | |
| Residence 7935 Fawndale Way Atlanta, GA 30350 | | |
| Citizenship <u>USA</u> | | |
| Post Office Address Same as above | | |
| Full name of fifth joint inventor <u>Brian Wadsinski</u> | | |
| Inventor's signatureDate | | |
| Residence 8217 Londonberry Road Nashville, TN 37221 | | |
| Citizenship <u>USA</u> | | |
| Post Office Address Same as above | | |

| Full name of third joint inventor Robert J. Coffey | |
|---|-------------|
| Inventor's signature | Date |
| Residence 125 Ridge Road Woodside, CA 94062 | |
| Citizenship <u>USA</u> | |
| Post Office Address Same as above | |
| Full name of fourth joint inventor Russell M. Medford Inventor's signature | |
| Inventor's signature | Date 1-6-98 |
| Residence 7935 Fawndale Way Atlanta, GA 30350 | |
| Citizenship <u>USA</u> | |
| Post Office Address Same as above | |
| Full name of fifth joint inventor <u>Brian</u> <u>Wadsinski</u> | |
| Inventor's signature | Date |
| Residence 8217 Londonberry Road Nashville, TN 37221 | |
| Citizenship <u>USA</u> | |
| Don't Office Address Same on share | |

| Full name of third joint inventor Robert J. Coffey | |
|---|-------------|
| Inventor's signature | Date |
| Residence 125 Ridge Road Woodside, CA 94062 | |
| Citizenship <u>USA</u> | |
| Post Office Address Same as above | |
| Full name of fourth joint inventor Russell M. Medford | |
| Inventor's signature | Date |
| Residence 7935 Fawndale Way Atlanta, GA 30350 | |
| Citizenship USA | |
| Brian E. Wadzinski | |
| Full name of fifth joint inventor Brian Wadsinski Inventor's signature Bun E. Wadzursh | Date 7/9/98 |
| Residence 8217 Londonberry Road Nashville, TN 37221 | |
| Citizenship <u>USA</u> | |
| Port Office Address Same as above | |

Applicants: Rebecca Chinery, et al.

Serial No.: Unassigned

Filed: July 1, 1998

For: Antioxidant Enhancement of Therapy for Hyperproliferative Conditions

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- the owner of the small business concern identified below:
- an official of the small business concern empowered to act on behalf of the concern identified below:

AtheroGenics, Inc. 3065 Northwoods Circle Norcross, Georgia 30071

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the U.S. Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "Antioxidant Enhancement of Therapy for Hyperproliferative Conditions" by Rebecca Chinery, R. Daniel Beauchamp, Robert J. Coffey, Russell M. Medford, and Brian Wadsinski described in

- ★ the specification filed herewith
- □ application serial no.
- □ patent no. , issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e) *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

| ADDRESS | | |
|---|---|--|
| □ INDIVIDUAL | □ SMALL BUSINESS CONCERN | □ NONPROFIT ORGANIZATION |
| NAME | | |
| ADDRESS | | |
| □ INDIVIDUAL | □ SMALL BUSINESS CONCERN | □ NONPROFIT ORGANIZATION |
| resulting in loss of en earliest of the issue fe | ntitlement to small entity status pric | ent, notification of any change in status or to paying, or at the time of paying, the r the date on which status as a small entity |
| statements made on it statements were made punishable by fine or Code, and that such v | nformation and belief are believed e with the knowledge that willful for imprisonment, or both, under secti | alse statements and the like so made are ion 1001 of Title 18 of the United States dize the validity of the application, any |
| NAME OF PERSON | SIGNING:Russell M. Medfor | rd |
| TITLE OF PERSON | OTHER THAN OWNER: Presi | ident |
| ADDRESS,OF PERS | SON SIGNING:3065 Northwe | oods Circle, Norcross, Georgia 30071 |
| SIGNATUR | | July 1, 1998 DATE |

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